

REMARKS

This is in response to the Office Action dated May 29, 2007. Claims 1-36 are currently pending.

The Section 112 rejection of claim 9 has been addressed and overcome by the changes to claim 9 above.

Claim 1 stands rejected under Section 102 as being allegedly anticipated by Yamazaki. This Section 102 rejection is respectfully traversed for at least the following reasons.

Claim 1 as amended requires "*wherein a substantial portion of the light emitting device is coplanar with a substantial portion of the light receiving device.*" For example and without limitation, see Fig. 1 of the instant application. Yamazaki fails to disclose or suggest this feature of claim 1, because in Fig. 14B of Yamazaki the light emitting device 269 is on an entirely different plane than the light receiving element 306, thereby teaching away from the invention of claim 1. Thus, it is respectfully requested that the rejection of claim 1 be withdrawn.

Claim 19 requires "*wherein the light receiving device is located directly under the light emitting device.*" For example and without limitation, see Figs. 5, 10 and 15-22 of the instant application. Yamazaki fails to disclose or suggest this feature of claim 19 because in Fig. 14B of Yamazaki the light emitting device 269 is laterally offset from the light receiving element 306, thereby teaching away from the invention of claim 19.

It is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

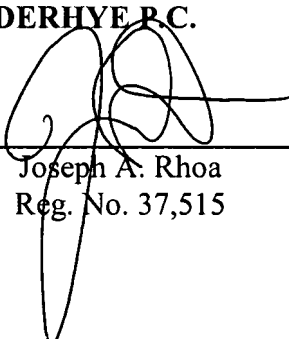
UCHIDA

Appl. No. 10/520,363

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Joseph A. Rhoa
Reg. No. 37,515

JAR:caj

901 North Glebe Road, 11th Floor

Arlington, VA 22203-1808

Telephone: (703) 816-4000

Facsimile: (703) 816-4100